

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

Case No. 2:20-cr-105-SPC-MRM

ELAINE M. LEVIDOW

\_\_\_\_\_ /

**PRELIMINARY ORDER OF  
FORFEITURE FOR SUBSTITUTE ASSET**

Before the Court, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), and Rule 32.2(e)(1)(B), is the United States' Motion for a Preliminary Order of Forfeiture for Substitute Asset. ([Doc. 57](#)). The Government seeks forfeiture for the following substitute asset in partial satisfaction of Defendant Elaine M. Levidow's **\$90,000.00** order of forfeiture:

**The real property located at 9549 Hemingway Lane, Fort Myers, FL 33913, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:**

**Lot 37, Colonial Country Club Parcel 107, according to the plat thereof as recorded in Plat Book 80, Pages 58 and 59, of the Public Records of Lee County, Florida.**

**Parcel ID: 02-45-25-P1-01600.0370**

**Titled Owners: Elaine M. Levidow and Mary Miller.**

On May 12, 2021, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), the Court entered a \$90,000.00 Order of Forfeiture against Defendant Elaine M. Levidow. ([Doc. 52](#)).

The United States is entitled to forfeit the substitute asset identified above, in partial satisfaction of the defendant's order of forfeiture.

Accordingly, it is,

**ORDERED:**


The United States' Motion for a Preliminary Order of Forfeiture for Substitute Asset ([Doc. 57](#)) is **GRANTED**.

It is **FURTHER ORDERED** that, pursuant to the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), and Federal Rule of Criminal Procedure 32.2(e)(1)(B), the asset described above is **FORFEITED** to the United States of America for disposition according to law, subject to the provisions of 21 U.S.C. § 853(n), as incorporated by 28 U.S.C. § 2461(c), in partial satisfaction of the defendant's order of forfeiture.

Assuming no third-party files a successful claim to the asset, the net proceeds from the forfeited asset will be credited towards partial satisfaction of the defendant's order of forfeiture.

The Court retains jurisdiction to address any third-party claim that may be asserted in these proceedings, to enter any further order necessary for the forfeiture and disposition of such property, and to order any other substitute asset forfeited to the United States up to the amount of the order of forfeiture.

**DONE** and **ORDERED** in Fort Myers, Florida, on August 16, 2021.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies to:  
All Parties/Counsel of Record